

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

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LAVADRE BUTLER,	)	C/A No. 4:15-0653-RMG-TER
	)	
	)	
Petitioner,	)	
	)	
vs.	)	ORDER
	)	
WARDEN LEE CORRECTIONAL INSTITUTION,	)	
	)	
Respondent.	)	
	)	

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Petitioner, appearing *pro se*, filed his petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 on February 17, 2015. Respondent filed a motion for summary judgment on April 27, 2015, along with a return, supporting memorandum and exhibits. The undersigned issued an order filed April 27, 2015, pursuant to Roseboro v. Garrison, 528 F.2d 309 (4<sup>th</sup> Cir. 1975), advising Petitioner of the motion for summary judgment procedure and the possible consequences if he failed to respond adequately. (Doc. #17). Petitioner was specifically advised that if he failed to respond adequately, the Respondent's motion may be granted, thereby ending his case. Notwithstanding the specific warning and instructions set forth in the court's Roseboro order, the Petitioner has failed to respond to the motion.

The Petitioner is given ten (10) days from the date of this order to file a response to the Respondent's motion for summary judgment. The Petitioner is further advised that if he fails to respond, this action will be recommended for dismissal with prejudice for failure to prosecute. See Davis v. Williams, 588 F.2d 69, 70 (4<sup>th</sup> Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

s/Thomas E. Rogers, III  
Thomas E. Rogers, III  
United States Magistrate Judge

June 3, 2015  
Florence, South Carolina